

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

DARREN A. BRITTO, GABRIEL A.
TAUSCHER, and SHAWN M. KROLL,

Plaintiffs,

CMMG, Inc.

Plaintiff-Intervenor,

v.

BUREAU OF ALCOHOL, TOBACCO,
FIREARMS AND EXPLOSIVES,

Defendant.

Case No. 2:23-cv-00019-Z

CMMG INC.'s [PROPOSED] MOTION FOR PRELIMINARY INJUNCTION

Plaintiff-Intervenor CMMG, Inc. (“CMMG”) respectfully moves this Court pursuant to Fed. R. Civ. P. 65 and 5 U.S.C. § 705, through its undersigned counsel, for a preliminary injunction against Defendant and its officers, agents, servants and employees.

Specifically, Plaintiff-Intervenor moves to enjoin Defendant from enforcing its January 31, 2023 regulation and its accompanying adjudications. *See* Factoring Criteria for Firearms with Attached “Stabilizing Braces,” 88 Fed. Reg. 6,478 (Jan. 31, 2023) (the “Rule”); ATF, Common Weapon Platforms With Attached ‘Stabilizing Brace’ Designs that are Short-Barreled Rifles (Jan. 2023), <https://www.atf.gov/rules-and-regulations/docs/undefined/bracefinalruleguidance-non-commercial/download>; ATF, Commercially Available Firearms Equipped with a ‘Stabilizing Brace’ that are Short-Barreled Rifles (Jan. 2023), <https://www.atf.gov/rules-and-regulations/docs/undefined/bracefinalruleguidance-commerciallypdf/download>.

This Motion is fully supported by the accompanying Memorandum.

February 17, 2023

/s/ Dusty J. Stockard
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